

**IN THE DISTRICT COURT OF THE UNITED STATES
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
ASHEVILLE DIVISION
1:10 CR 37**

UNITED STATES OF AMERICA

Vs.

EMMANUEL SHERMAIN HEMPHILL.

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ORDER

THIS CAUSE coming on to be heard before the undersigned pursuant to a letter (#16) sent by defendant to the undersigned dated September 10, 2010. In the letter, defendant requests that he be transferred from his present place of detention by the United States Marshals to another detention facility. At the hearing of this motion, defendant and his counsel were present as was Assistant United States Attorney Richard Edwards on behalf of the government. At that time, the undersigned pointed out the undersigned does not have jurisdiction to control the place of detention of the defendant as that is a decision placed within the complete province of the United States Marshals Office. For this reason, the undersigned will dismiss the motion of the defendant.

ORDER

IT IS, THEREFORE, ORDERED that the motion of the defendant as contained in the letter (#16) dated September 10, 2010 is hereby **Dismissed**.

Signed: September 17, 2010

Dennis L. Howell

Dennis L. Howell
United States Magistrate Judge

